



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of : Confirmation No. 6935
Johe IKEDA et al. : Docket No. 2001-0515A
Serial No. 09/830,338 : Group Art Unit 1642
Filed July 11, 2001 : Examiner Misook YU

MONOCLONAL ANTIBODIES AGAINST
HUMAN APOPTOSIS INHIBITORY
PROTEIN NAIP AND METHOD FOR
ASSAYING THE NAIP

JUL 02 2004

TECH CENTER 1600/2900

DECLARATION OF MICROORGANISM AVAILABILITY

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SIR:

Undersigned, attorney of record for the subject application, hereby declares:

That the hybridomas cell lines 656-1, 656-2 and 841 have been deposited under the terms of the Budapest Treaty as accession Nos. FERM BP-6919, FERM BP-6920 and FERM BP-6921, respectively.

That the depository affords permanence of the deposits and ready accessibility thereto by the public if a patent is granted;

That access to the deposit during the pendency of the above-identified application will be afforded to one determined by the Commissioner to be entitled thereto;

That all restrictions on the availability of the deposits to the public imposed by the depositor will be irrevocably removed upon the granting of a U.S. Patent on the above-identified application;

That each deposit shall be stored by the depository, with all the care necessary to keep it viable and uncontaminated, for a period of at least five years after the most recent request for the

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furnishing of a sample of the deposit was received by the depository, or for a period of at least 30 years after the date of the deposit, or for the effective life of the U.S. Patent, whichever is longest;

That the Assignee acknowledges its duty to replace any such deposit should the depository be unable to furnish a sample when requested due to the condition of the deposit;

That the undersigned is authorized to execute this agreement on behalf of the Assignee; and

Undersigned further declares that all statements made herein of his own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Respectfully submitted,

Johe IKEDA et al.

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